IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Bail Appl..No. 853 of 2007

(CRIME NO.12/07 OF ULIKKAL POLICE STATION)

PETITIONERS/ACCUSED 1 TO 5:
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1. **SHAJI, S/O. POULOSE,**
   KANJIRATHUMKAL HOUSE, ULIKKAL P.O.,KANNUR DISTRICT.

2. **SHIJU KOTTAKKAT, S/O. JOHN,**
   NUCHAD AMSOM, DESOM, MANIPPARA,KANNUR DISTRICT.

3. **JOSHI ARAKKAL, S/O. JOSEPH,**
   RESIDING -DO-.

4. **SAJI ANJILITHOPPIL, S/O. JOHN,**
   RESIDING -DO-.

5. **JOSHI CHITTAKKAT, S/O. AVIRA,**
   RESIDING -DO-.

BY ADV. SRI.CIBI THOMAS

RESPONDENTS: COMPLAINANT/STATE:
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1. **THE SUB INSPECTOR OF POLICE,**
   ULIKKAL POLICE STATION.

2. **STATE REP. BY PUBLIC PROSECUTOR,**
   HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 853 OF 2007 B

Dated this the 13th day of February, 2007

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners, who are accused Nos.1 to 5 in Crime No.12/2007 of Ulikkal Police Station for offences punishable under Sections 143, 147, 148, 341, 324 and 308 read with section 149 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioners had inflicted injuries on three persons on 4.2.2007 using iron rod, knife and granite stone.

3. Having regard to the fact that the injuries are relatively minor injuries and there is also a counter case registered as Crime No.13/2007, eventhough I am not inclined to grant anticipatory bail to the petitioners, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their regular bail application ordered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer on any day between 19.2.2007 and 21.2.2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. The

petitioners shall, thereafter, be produced on the same day before the Magistrate concerned, who shall release them on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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